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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/668,623	09/23/2003	Ryan F. Rowe	061300-0427	2192

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EXAMINER

ARTHUR JEANGLAUDE, GERTRUDE

ART UNIT PAPER NUMBER

3661

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/668,623

Applicant(s)

ROWE ET AL.

Examiner

Gertrude Arthur-Jeanglaude

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 8-11, 14-17, 19-20, 23-26, 30-31, are rejected under 35 U.S.C. 102(b) as being anticipated by Klatte et al. (U.S. Patent No. 6,101,917).

As to claims 1, 9, Klatte et al. disclose a fire fighting vehicle comprising a turret including a base which is coupled to the vehicle, the turret being configured to rotate relative to the vehicle at the base (See Figs. 1, 3; abstract); a turret controller configured to use feedback control to control movement of the turret from a first position where the turret is positioned at a first angle of rotation at the base to a second position where the turret is positioned at a second angle of rotation at the base, the first and second angles being different (See col. 3, lines 54-65; col. 1, lines 28-40) (the first and second positions are attained during rotation and by disengaging or lock in position or rotating unlock position see col. 1, lines 28-40; col. 2, lines 11-47; engaged position, disengaged position).

As to claims 2, 10, Klatte et al. disclose the turret controls the movement of the turret from the first position to the second position in response to a single input from an operator (See col. 2, lines 5-10).

As to claims 3, 8, 11, 15, 24, Klatte et al. disclose the turret is configured to rotate in a plane that is approximately horizontal (See col. 2, lines 37-47, 60-67).

As to claims 14, 23, Kattle et al. disclose a turret vehicle for a vehicle comprising a first gear (drive gear; see abstract)) coupled to the vehicle, the first gear being stationary relative to the vehicle; an apparatus coupled to the vehicle and configured to rotate relative to the vehicle, the apparatus including a second gear (ring gear; see abstract)) which is rotatably coupled to the first gear and is configured to rotate as the apparatus rotates relative to the vehicle; Kattle et al. disclose a position sensor coupled to the second gear, the position sensor being configured to measure the position of the apparatus (See col. 4, lines 45-67; as the positions are determined during drive assembly).

As to claims 16, 25, Kattle et al. disclose rotation of the aiming (See col. 4, lines 61-67) which is considered as a position sensor being a rotary potentiometer.

As to claims 17, 19-20, 26, Kattle et al. disclose other types of gears which is considered as third gear wherein all the gears are connected and the second gear is configured to drive the rotation of the apparatus (See col. 4, lines 1-6, 31-67; col. 3, lines 63-67).

As to claims 30-31, Kattle et al. disclose the first gear meshes with the second gear (See abstract; col. 2, lines 20-29) ; and also disclose an apparatus that is extendable (See Fig. 1).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-7, 12-13, 18, 21, 27- 28, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kattle in view of Petit et al. (U.S. Patent No. 4,949,794).

As to claims 4, 7, 12-13, Kattle et al. disclose all but fail to specifically disclose the first position corresponds to a deployed position where the turret is positioned to dispense a fire fighting agent on a region of interest and the second position corresponds to a stored position in which the turret is stored for vehicle travel. In an analogous art, Petit discloses a fire fighting agent on a region of interest and the second position corresponds to a stored position in which the turret is stored for vehicle travel (See col. 2 and col. 10, Figure 12). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Kattle with that of Petit by having a fire fighting agent on a region of interest and the second position corresponds to a stored position in which the turret is stored for vehicle travel in order to control the firefighting device.

As to claim 5, Kattle et al. disclose a locking mechanism that locks the turret in place after the turret reaches the second position (See col. 1, lines 28-40; col. 2, lines 11-47).

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As to claims 6, 21, 28, Kattle et al. disclose all but fail to specifically disclose a fire fighting agent delivery system capable of transporting a fire fighting agent from the fire fighting vehicle to a nozzle coupled to the turret. In an analogous art, Petit et al. disclose a fire fighting agent delivery system capable of transporting a fire fighting agent from the fire fighting vehicle to a nozzle coupled to the turret (See col. 2, lines 13-19; abstract) (fluid discharge device= firefighting agent delivery system).

As to claims 18, 27, Kattle et al. disclose all but fail to specifically disclose the third gear is driven hydraulically. In an analogous art, Petit et al. disclose an apparatus configured for hydraulic control (See col. 6, lines 16-28). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Kattle et al. with that of Petit et al. by having an hydraulic system in order to control the fire fighting apparatus.

Claims 22, 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kattle (U.S. Patent No. 6,101,917).

As to claims 22, 29, Kattle et al. disclose the apparatus is configured to rotate relatively (See col. 4, lines 46-51). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to rotate through a range of rotation that is not greater than approximately 90 degrees in order to rotate the turret appropriately.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sanborn et al. (U.S. Patent No. 4,574,685)

Sanborn et al. (U.S. Patent No. 4,686,888)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur-Jeanglaude whose telephone number is (571) 272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GAJ
GAS
November 14, 2005

Gertrude A. Jeanglaude
GERTRUDE A. JEANGLAUE
PRIMARY EXAMINER